

EAST CLARK COUNTY WATER  
DISTRICT

P.S.C. Ky. No. \_\_\_\_\_

Cancels P.S.C. Ky. No. \_\_\_\_\_

EAST CLARK COUNTY WATER DISTRICT

OF

CLARK COUNTY, KENTUCKY

RATES, RULES AND REGULATIONS FOR FURNISHING

WATER SERVICE

AT

The territory described on Original Sheet No. 2

FILED WITH PUBLIC SERVICE COMMISSION OF

KENTUCKY

ISSUED January 30, 1998

EFFECTIVE March 5, 1998

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

MAR 05 1998

ISSUED BY East Clark Co. Water District  
(Name of Utility)

BY Chairman

*Harold Logan*

PURSUANT TO 807 KAR 5011,  
SECTION 9(1)

BY Stephen O. Bell  
SECRETARY OF THE COMMISSION

FOR EAST CLARK COUNTY WATER DISTRICT

P.S.C. KY. NO. 7133

Adjusting SHEET NO. 2

EAST CLARK WATER DISTRICT

CANCELLING P.S.C. KY NO. \_\_\_\_\_

\_\_\_\_\_ SHEET NO. \_\_\_\_\_

### RULES AND REGULATIONS

East Clark County Water District embraces the following territory:

Commencing at a point in the center line of U. S. Highway #627 common to the north right-of-way margin of Interstate 64; thence north with said U. S. #627 to the junction on the south Bourbon County line; thence with said county line eastwardly to the junction of the Clark-Bourbon - Montgomery County lines; thence with the Clark - Montgomery - Powell County lines; thence south and east to the junction of the Powell - Clark - Estill County lines, following the county line; thence south to the mouth of Red River on the Kentucky River; thence with the north bank of the Kentucky River west to its junction with Two Mile Creek; thence a straight line to proposed purchase point on Elkin Station Road; thence following a straight line to the proposed purchase point on Flanagan Station Road; thence to the intersection of the centerline of Two Mile Road and 12" gas lines (owned by ?????); thence to purchase point on Hughes Avenue; thence to southeastern most point of the Winchester city limits; thence to resale point on Kentucky Highway 89 (Irvine Road); thence to resale point on Kentucky Highway 15; thence due north to centerline of Mountain Parkway; thence to purchase point on Kentucky Highway 1960 (Ecton Road); thence to intersection of U. S. Highway 60 and Interstate 64; thence following Interstate 64 centerline westwardly to its intersection with Kentucky Highway 627.

ARE EXCEPTED FROM THE FOREGOING THE FOLLOWING:

All property on State Highway #15 now served by lines of the Municipal Utilities Commission which extend beyond the Clark County Rural Electric corporation so that the territory of the District shall be at least 2,500 feet from any line of the Utilities Commission and that the territory of the District shall not at any point be nearer than 2,500 feet to any line of the City as well as to be least 2,500 feet distant from the City Limits of Winchester.

The property owned by M. W. Miller situated to the north of the City of Winchester.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

MAR 05 1998

DATE OF ISSUE January 30, 1998 DATE EFFECTIVE March 5, 1998  
MONTH DATE YEAR MONTH DATE YEAR  
ISSUED BY Shirley R. [Signature] BY Stephen [Signature]  
SIGNATURE OF OFFICER TITLE ADDRESS

FOR East Clark County Water District

P.S.C. KY. NO. 7133

Correcting SHEET NO. 3

East Clark County Water District

CANCELLING P.S.C. KY NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

### RULES AND REGULATIONS

BY-LAWS, RULES AND REGULATIONS  
OF THE EAST CLARK COUNTY WATER  
DISTRICT, OF CLARK COUNTY, KENTUCKY  
AS ADOPTED ON AUGUST 3, 1978.

The Commission of the above-named Water District, at a meeting held on the date stated above, adopted the following By-Laws and Regulations:

ARTICLE 1. NAME. The name of the District is set out in the caption hereof. The principal office of this District shall be located at the place indicated below in this Article, but the District may maintain offices and places of business at such other places within the State as the Commissioners may determine.

The principal office and place of business of this District and the place where water bills shall be paid, shall be as follows:

EAST CLARK COUNTY WATER DISTRICT  
P.O. BOX 112  
118 HOPKINS LANE  
WINCHESTER, KY 40391

ARTICLE 2. SEAL. The Seal of the District shall have inscribed thereon the name of the District and such other inscription as the Commissioners may designate and adopt. The Secretary of the District shall have custody of the Seal. Said Seal is affixed hereto at the indicated in this Article. (Seal of District)

ARTICLE 3. MEMBERSHIP. The customers are the members of this District. The duties of the members are set out hereinafter.

ARTICLE 4. COMMISSIONERS. The Commission is a body corporate as provided by KRS 74.070 and is created and its powers and duties are coincident with applicable Kentucky Statutes. The business and affairs of the District shall be conducted by Commissioners who have been appointed pursuant to statute. In view of the present statutory requirements that the Commissioners of the District be selected by the County Judge of the County referred to in the caption hereof, the customers at the last monthly meeting held in the year prior to the selection of each Commissioner, may by motion of any customer, adopt a motion recommending the names of three or less members of the District for consideration by the County Judge (with the approval of the Public Service Commission of Kentucky), with the request that one of such members be selected as a Commissioner. Such meeting date shall be determined by the provisions of Article 5 of these By-Laws. EFFECTIVE

JUN 29 1994

DATE OF ISSUE May 17, 1994  
MONTH DATE YEAR

DATE EFFECTIVE June 18, 1994  
MONTH DATE YEAR

ISSUED BY Harold Logan  
SIGNATURE OF OFFICER

Chairman  
TITLE

PURSUANT TO 807 KAR 5011.  
BY 11220  
PUBLIC SERVICE COMMISSION MANAGER  
ADDRESS 11220

AST CLARK COUNTY WATER DISTRICT

Cancelling P.S.C. Ky. No. \_\_\_\_\_

Sheet No. \_\_\_\_\_

**RULES AND REGULATIONS**

**ARTICLE 5. MEETINGS.** The Commissioners shall meet at least once every three months, or at such other regular time as may be fixed by Resolution of the Commission, and at such other times as necessary to conduct business. The Chairman, Secretary or any Commissioner may call such meetings by written notice to each member of the Commission, to each local newspaper of general circulation, to each news service and to each local radio or television station which has on file with the Commission a written request to be notified of special meetings of the Commission, in accordance with KRS 61.805-991, mailed or delivered at least 24 hours in advance of such meeting.

**ARTICLE 6. OFFICERS.** Officers shall be elected annually at the first meeting of the fiscal year, but in the event the election is not so held, officers shall continue to hold office until an election is requested by one of the Commissioners.

**ARTICLE 7. VACANCIES.** Vacancies of the Commission shall be filled by the County Court.

**ARTICLE 8. SECRETARY'S DUTY.** The Secretary of the Commission shall keep and preserve all documents of the District, including all contracts, plans, specifications, and applications for governmental assistance, shall record the Minutes of proceedings of the Commission and perform all duties customarily performed by a Secretary of a public body.

**ARTICLE 9. TREASURER'S DUTY.** The Treasurer of the Commission shall pay out the funds of the Commission only upon presentation of warrants signed by the Chairman and countersigned by the Secretary of the Commission. As compensation for his services the Treasurer shall receive an amount fixed by the Commission, not to exceed two-hundred dollars. He shall execute bond to the Commission in an amount fixed by the Commission.

**ARTICLE 10. POWERS.** The Commission may acquire and install pipe and water laterals, and operate a water system for any district. The Commission shall be a body corporate for all purposes, and may make contracts for the water district with municipalities and persons for a water supply, and for the sale of water and for all other purposes connected with its business. It may prosecute and defend suits, hire necessary employees including Commissioners for duties to which their salary limitation herein shall not apply, and do all acts necessary to carry on the work. It may establish and revise a fiscal year. The Commission shall have all powers granted to Water Districts by the Kentucky Revised Statutes including those set out in KRS Chapter 74 and KRS Chapter 106.

**ARTICLE 11. RATES.** The Commission may establish and revise water rates and make reasonable regulations for the dispositions and consumption of water.

CHECKED

DEC 15 1981

by

RATES AND TARIFFS  
August 4, 1978DATE OF ISSUE May 24, 1978 11-24-81  
Month Day YearDATE EFFECTIVE August 4, 1978  
Month Day YearISSUED BY W. W. G. Hem  
Name of OfficerChairman  
Title\_\_\_\_\_  
Address

P.S.C. Ky. No. 7133

Original Sheet No. 5

EAST CLARK COUNTY WATER DISTRICT

Cancelling P.S.C. Ky. No.

Sheet No.

## RULES AND REGULATIONS

ARTICLE 12. DISPOSITION OF ASSETS. In the event the District terminates business by reason of liquidation or sale of its assets, and in the event there is a sum of money remaining after the District has sold its property and paid its debts of every kind including all bonded indebtedness, then the District shall seek court approval of a distribution of the money based on the following plan:

(a) One-half of the said money shall be distributed to the original subscribers, their heirs, devisees and assigns in direct ratio to the connection fees paid by them prior to construction of the original line;

(b) One-half of the said money shall be distributed to each customer, his heirs, devisee and assigns, who has at any time purchased water from the District in direct ratio to the total water bill the customer paid during the entire operation of the system.

The District does not in any way represent that this means of disposing of the assets of the District in the event of liquidation or sale will be approved by the court.

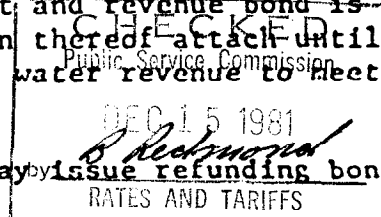
ARTICLE 13. MISCELLANEOUS. The Commission may acquire a water line or system operating in the District as provided by KRS 74.100.

ARTICLE 14. CONDEMNATION. The Commission may condemn rights of way as provided in KRS 416.010 to 416.080 and KRS 106.220 and 106.240.

ARTICLE 15. CONSENT OF FHA REQUIRED TO CHANGE BOUNDARIES. So long as the United States is the owner or insurer of any bonds issued by the District, the Commission will not, without the consent of the Farmers Home Administration, United States Department of Agriculture, take any action with respect to diminishing the territorial limits of the District and will notify the Farmers Home Administration of any proposal or petition to diminish the territorial limits of the District as soon as the Commission has acquired knowledge thereof.

ARTICLE 16. TYPES OF BONDS. The Commission may finance the acquisition and the construction of authorized works of improvement by the issuance of (1) special assessment bonds, (2) revenue bonds, or (3) a combination special assessment and revenue bond, payable primarily from water revenue, supplemented when necessary by special assessments. If the combination special assessment and revenue bond is used, the special assessment will not be levied nor will the lien thereof attach until such time as it is necessary to make up any deficit in the water revenue to meet annual obligations.

ARTICLE 17. REFUNDING BONDS. The Commission may issue refunding bonds as provided by KRS 74.320 and 74.330 and KRS Chapter 106.



DATE OF ISSUE Nov 24, 1978 11-24-78  
Month Day Year

DATE EFFECTIVE August 4, 1978  
Month Day Year

ISSUED BY

W. W. Therr

Chairman

Address

EAST CLARK COUNTY WATER DISTRICT

Cancelling P.S.C. Ky. No. \_\_\_\_\_

Sheet No. \_\_\_\_\_

RULES AND REGULATIONS

ARTICLE 18. TIME RECORDS AS TO DISTRICT EMPLOYEES. The Commission shall keep an account of the time spent by all employees employed on an hourly basis and each item of expense incurred in connection with the District.

ARTICLE 19. FEES AND COMPENSATION OF DISTRICT OFFICERS. The fees of officers for services rendered in such capacity shall be the same as fees now allowed by law for similar services in other cases. Such fees shall be taxed as a part of the costs and paid on order of the court. Fees or compensation for any service not otherwise provided for shall be fixed and paid by the Commission.

ARTICLE 20. AWARD OF CONSTRUCTION CONTRACTS. The Commission shall let construction contracts as provided by KRS 74.260, KRS 74.270, KRS Chapter 106 and KRS Chapter 424.

ARTICLE 21. ARRANGEMENTS FOR WORK AND SERVICES RENDERED TO THE DISTRICT. The Commissioners shall secure personnel to repair and maintain water district property including mains, lines, meters, storage tanks, etc., when necessary, shall secure personnel to read meters and shall secure personnel to bill customers. The Commissioners shall retain an attorney to represent the District, and may enter into contracts for services labor and materials as provided in KRS Chapters 74 and 106, for any of the purposes enumerated therein.

ARTICLE 22. CONTRACTS AND SERVICE ARRANGEMENTS. The Commission may make all provisions concerning contracts for sale of water, connection charges, and other disposition of District services and assets, including the plan of collecting proceeds thereof. ✓The system manager may at his discretion discontinue delivery of water to any delinquent customer. The District will install, maintain and operate a main distribution pipe line or lines from the source of water supply and service lines from the main distribution pipe line or lines to the property line of each customer of the District, if the District Commission determines it is feasible to serve such customer, at which points, designated as delivery points, meters to be purchased, installed, owned and maintained by the District shall be placed. ✓The cost of service line or lines from the main distribution pipe line or lines of the District to the property line of each customer shall be paid by the District or the customer, or both, in a manner to be determined by the Commission at the time of installation depending upon the length of the service line from its main distribution line or lines, such cut-off valve to be owned and maintained by the District and to be installed on ~~some portion of the~~ <sup>the</sup> service line owned by the District. The District shall have the sole and exclusive right to the use and operation of such cut-off valve.

DEC 15 1981

by B. Leonard

RATES AND TARIFFS

DATE OF ISSUE 11-24-81  
Month Day YearDATE EFFECTIVE 8-4-78  
Month Day Year

ISSUED BY

W. W. Thomas  
Name of OfficerChairman  
Title\_\_\_\_\_  
Address

EAST CLARK COUNTY WATER DISTRICT

Cancelling P.S.C. Ky. No. \_\_\_\_\_

Sheet No. \_\_\_\_\_

RULES AND REGULATIONS

Each service line shall connect with the District's water system at the nearest available point to the place of desired use by the customer if the District's water system shall be of sufficient capacity to permit the delivery of water through a service line at that point without interfering with the delivery of water through a prior service line. If the District's water system shall be inadequate to permit the delivery of water through a service line installed at such point without interfering with the delivery of water through a prior service line, then such service line shall be installed at a point to be designated by the Commission. Each customer will be required to install and own the service line from the meter to the place of use on his premises and to maintain such portion of the service line.

Each customer shall be entitled to purchase from the District pursuant to such agreements as may from time to time be provided and required by the Commission such water as the customer may desire, subject, however, to the provisions of these By-Laws and to such rules and regulations as may be prescribed by the Commission, provided, however, that should a customer sell or dispose of a portion of his property or subdivide the same, he or the new owner of each such new tract may not demand water and taps without paying connection fees for each such tract to be served.

In the event the total water supply shall be insufficient to meet all the needs of the customers or in the event there is a shortage of water, the Commission may prorate the water available among the various customers on such basis as is deemed equitable by the Commission, and may also prescribe a schedule of hours covering use of water and require adherence thereto or prohibit the use of water for specified purposes.

ARTICLE 23. INSURANCE. The Commission is authorized to secure insurance on storage tanks, if any, and such other properties as the District owns, against fire, windstorms and other calamity and liability insurance, in such amounts and with such companies as other privately-owned water systems ordinarily carry.

ARTICLE 24. DISTRICT OWNERSHIP OF LINES AND METERS. The District shall own all lines and meters held by or for it, in the absence of a written agreement to the contrary.

ARTICLE 25. ENGINEERING SERVICES; INSPECTIONS AND REPORTS. The Commission shall secure engineering services for an annual engineering inspection and report dealing with operation and maintenance practice if the Commission desires or if so required by any bondholder or the Federal Government as insurer of the bonds.

by S. RedmondDEC 15 1981  
RATES AND TARIFFSDATE OF ISSUE May 24, 1978 11-24-81  
Month Day YearDATE EFFECTIVE August 4, 1978  
Month Day YearISSUED BY M. O. W. Plam

Name of Officer

Chairman  
Title

Address



EAST CLARK COUNTY WATER DISTRICT

## RULES AND REGULATIONS

ARTICLE 26. CONTRACTS FOR SALE OF WATER. The Commission may contract with any person or entity for the sale of water and if such person or entity is metered within the District boundaries, he or it is a customer of the District for such time as he or it pays the District bills pertaining to such metered connection.

ARTICLE 27. RESTRICTIONS ON AMENDMENTS TO BY-LAWS. The By-Laws shall not be amended without the permission of the majority of holders of outstanding bonds, plus the Farmers Home Administration, United States Department of Agriculture, so long as the United States is the owner or insurer of any bonds issued by the District and so long as any of the bonds remain unpaid.

ARTICLE 28. KENTUCKY LAWS INCORPORATED BY REFERENCE. All applicable Kentucky Statutes which now or may hereafter exist are incorporated herein and made a part of these By-Laws, and the Commissioners may use any powers therein contained in addition to those herein set out. Any provisions herein in violation of the Kentucky Revised Statutes which is now or may hereafter be in effect is null and void, the remainder of these By-Laws to continue in full force and effect.

ARTICLE 29. AUDITS. An annual audit on a fiscal year basis will be made of the books and accounts pertinent to said project by competent auditor. No later than 60 days after the close of each fiscal year copies of such audit reports certified by such accountant shall be promptly mailed to the Farmers Home Administration without request and to any bondholder that may have requested same in writing.

ARTICLE 30. RULES AND REGULATIONS. The following rules and regulations are hereby adopted, subject to change by the Commission at any time. These rules and regulations are intended to supplement the Bond Resolution, the Rate Resolution and the By-Laws.

- A. All taps and connections to the mains of the District shall be made by and/or under the direction and supervision of District personnel.
- B. Water service may be discontinued by the District for any violation of any rule, regulation, or condition of service and especially for any of the following reasons:
  1. Misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water.
  2. Failure to report to the District additions to the property or fixtures to be supplied or additional use to be made of water.
  3. Resale of water.

by

DEC 15 1981

B. Redmond

RATES AND TARIFFS

August 4, 1978

DATE OF ISSUE May 24, 1978

Month Day Year

DATE EFFECTIVE August 4, 1978

Month Day Year

ISSUED BY

W. W. Thompson

Chairman

Address

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

FOR East Clark County Water District

P.S.C. KY. NO. 7133

Correcting SHEET NO. 9

CANCELLING P.S.C. KY NO. \_\_\_\_\_

Original SHEET NO. 9

SEP 18 1995  
East Clark County Water District

PURSUANT TO 807 KAR 5:011,  
SECTION 9(1)

BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

**RULES AND REGULATIONS**

4. Waste or misuse of water due to improper or imperfect service pipes and/or failure to keep in suitable state of repair.
  5. Tampering with meter, meter seal, service, or valves or permitting such tampering by others.
  6. Connection, cross connection, or permitting the same, of any separated water supply to premises which receive water from the District.
  7. Non-payment of bills.
- C. Any customer desiring to discontinue the water service to his premises for any reason must give three (3) working days notice in writing in person or by telephone at the business office of the District; otherwise, a customer shall remain liable for all water used and service rendered by the District until said notice is received by the District.
- D. Bills and notices relating to the conduct of the business of the District will be mailed to the customer at the address listed on the user's agreement unless a change of address has been filed in writing with the District; and the District shall not otherwise be responsible for delivery of any bill or notice nor will the customer be excused from the payment of any bill or any performance required in said notice.
- E. 1. Bills for water service are due and payable at the office of the District, or to any designated agent, on the date of issue. The past due date shall be the tenth day after the date of issue. Bills will be dated and mailed on the first day of each month.
2. All bills not paid on or before the due date shall be deemed delinquent. The District may serve a customer a written final notice of said delinquency. If delinquent bill is not paid within ten days after date of such final notice, the water supply to the customer may be discontinued without further notice.
3. All delinquent bills will be assessed a 5% penalty in accordance with 807 KAR 5:011, Section 10.
- F. Where the water supply to the customer has been discontinued for non-payment of delinquent bills, a charge of \$35.00 will be made for reconnection of water service but reconnection will not be made until all delinquent bills and any other charges owed by the customer have been paid.

DATE OF ISSUE August 15, 1995  
MONTH DATE YEAR

DATE EFFECTIVE September 18, 1995  
MONTH DATE YEAR

ISSUED BY Harold Rogers  
SIGNATURE OF OFFICER

TITLE

Chairman 11220 Irvine Rd.  
ADDRESS  
Winchester, Ky. 40391

EAST CLARK COUNTY WATER DISTRICT

Cancelling P.S.C. Ky. No.

Sheet No.

## RULES AND REGULATIONS

- G. The District may require from any customer for service a minimum cash deposit of an amount not to exceed two-twelfths (2/12) of the estimated annual bill of such customer. The District shall issue to every customer from whom a deposit is received a certificate of deposit, showing the name of the customer, location of initial premises occupied, date and amount of the deposit.
- H. All meters shall be installed, renewed and maintained at the expense of the District and the District reserves the right to determine the size and type of meter used.
- ✓ I. Whenever a meter in service is found upon periodic request or complaint test to be more than two percent (2%) fast, additional tests shall be made at once to determine the average error of the meter.

If the result of tests on a customer's meter shows an average error greater than two percent fast, then the customer's bills, for the period during which the meter error is known to have existed, shall be recomputed and the account adjusted on the basis of the test. In the event the period during which the meter error existed is unknown, then the customer's bill shall be recomputed for one-half of the elapsed time since the last previous test but in no case to exceed twelve months.

If the result of tests on a customer's meter shows an average error greater than two percent slow, then the customer's bill, for the period during which the meter error is known to have existed, may be recomputed and the account adjusted on the basis of the test. In the event the period during which the meter error existed is unknown, then the customer's bill may be recomputed for one-half of the elapsed time since the last previous test but in no case to exceed twelve months.

- J. Where a meter has ceased to register, or meter reading could not be obtained, the quantity of water consumed will be based upon an average of the prior six months consumption and the conditions of water service prevailing during the period in which the meter failed to register.
- K. The District shall make all reasonable efforts to eliminate interruption of service and when such interruptions occur will endeavor to reestablish service with the shortest possible delay. When the service is interrupted all consumers affected by such interruption will be notified in advance whenever it is possible to do so.
- L. The District shall in no event be held responsible for any claim made against it by reason of the breaking of any mains or service pipes or by reason of any other interruption of the supply of water caused by the failure of machinery or stoppage for necessary repairs. No person

DATE OF ISSUE May 24, 1978 11-24-81 DATE EFFECTIVE August 4, 1978  
 Month Day Year Month Day Year

ISSUED BY W. N. J. [Signature] Chairman Address \_\_\_\_\_  
 Title \_\_\_\_\_

## RULES AND REGULATIONS

shall be entitled to damages nor for any portion of a payment refunded for any interruption of service which in the opinion of the District may be deemed necessary.

- M. Customers having boilers and/or pressure vessels receiving a supply of water from the District must have a check valve on the water supply line and a vacuum valve on the stream line to prevent collapse in case the water supply from the District is discontinued or interrupted for any reason, with or without notice.
- N. The premises receiving a supply of water and all service lines, meters and fixtures, including any fixtures within said premises, shall at all reasonable hours be subject to inspection by the District.
- O. Piping on the premises of a customer must be so installed that connections are conveniently located with respect to the District lines and mains. The customer shall provide a place for metering which is unobstructed and accessible at all times.
- P. The customer's service line shall be installed and maintained by the customer at his own expense in a safe and efficient manner and in accordance with the District rules and regulation and with the regulations of the Department of Health.
- Q. If any loss or damage to the property of the District or any accident or other injury to persons or property is caused by or results from the negligence or wrongful action of the customer, member of his household, his agent or employee, the cost of the necessary repairs or replacements shall be paid by the customer to the District and any liability otherwise resulting shall be that of the customer.
- R. Water furnished by the District may be used for domestic consumption by the customer member of his household, and employee only. The customer shall not sell the water to any other person.
- S. All customers shall grant or convey, or shall be caused to be granted or conveyed, to the District a perpetual easement and right of way across any property owned or controlled by the customer wherever said easement or right of way is necessary for the District water facilities and lines so as to be able to furnish service to the customer.
- T. Complaints may be made to the operator of the system whose decision may be appealed to the Commission of the District within ten days; otherwise, the operator's decision will be final.
- 

Public Service Commission

DEC 15 1981

by

## RATES AND TARIFFS

DATE OF ISSUE May 24, 1978 11-24-81  
Month Day Year

DATE EFFECTIVE August 4, 1978  
 Month Day Year

ISSUED BY

1000

**Address**

EAST CLARK COUNTY WATER DISTRICT \_\_\_\_\_

Community, Town or City

P.S.C. KY. NO. \_\_\_\_\_

ADJUSTING SHEET NO. 12

EAST CLARK COUNTY WATER DISTRICT  
(Name of Utility)

CANCELLING P.S.C. KY. NO. 92-343

SHEET NO. \_\_\_\_\_

RATES

Resale Water Rates for repurchasing by Winchester Municipal Utilities

\$2.03 per 1,000 Gallons

Issued pursuant to Water Purchase agreement between East Clark County Water District  
and Winchester Municipal Utilities dated July 15, 1999 and Purchase Water Adjustment  
June 1, 2003

DATE OF ISSUE SEPTEMBER 24, 2003  
Month / Date / Year

DATE EFFECTIVE SEPTEMBER 22, 2003

ISSUED BY Fred Farris  
Month / Date / Year  
(Signature of Officer)

TITLE CHAIRMAN

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2003-00327 DATED SEPTEMBER 22, 2003

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

SEP 22 2003

PURSUANT TO 807 KAR 5.011  
SECTION 9 (1)

BY Charles L. Brown  
EXECUTIVE DIRECTOR

EAST CLARK COUNTY WATER DISTRICT \_\_\_\_\_

Community, Town or City \_\_\_\_\_

P.S.C. KY. NO. \_\_\_\_\_

ADJUSTING SHEET NO. 12

CANCELLING P.S.C. KY. NO. 92-343

SHEET NO. \_\_\_\_\_

EAST CLARK COUNTY WATER DISTRICT  
(Name of Utility)

RATES

5/8" X 3/4" Meter

First 2,000 gallons  
Next 8,000 gallons  
Next 40,000 gallons  
Over 50,000 gallons

Monthly Rates

23.62 Minimum Bill  
9.56 per 1,000 gallons  
8.34 per 1,000 gallons  
7.12 per 1,000 gallons

1" Meter

First 5,000 gallons  
Next 5,000 gallons  
Next 40,000 gallons  
Over 50,000 gallons

52.30 Minimum Bill  
9.56 per 1,000 gallons  
8.34 per 1,000 gallons  
7.12 per 1,000 gallons

1 1/2" Meter

First 10,000 gallons  
Next 40,000 gallons  
Over 50,000 gallons

100.10 Minimum Bill  
8.34 per 1,000 gallons  
7.12 per 1,000 gallons

2" Meter

First 20,000 gallons  
Next 30,000 gallons  
Over 50,000 gallons

183.50 Minimum Bill  
8.34 per 1,000 gallons  
7.12 per 1,000 gallons

3" Meter

First 30,000 gallons  
Next 20,000 gallons  
Over 50,000 gallons

275.00 Minimum Bill  
8.34 per 1,000 gallons  
7.12 per 1,000 gallons

DATE OF ISSUE SEPTEMBER 24, 2003  
Month / Date / Year

DATE EFFECTIVE SEPTEMBER 22, 2003

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

ISSUED BY Fred Farnus  
(Signature of Officer)

SEP 22 2003

TITLE CHAIRMAN

PURSUANT TO 807 KAR 5.011  
SECTION 9 (1)

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

BY Thomas L. Brown  
EXECUTIVE DIRECTOR

IN CASE NO. 2003-00327 DATED SEPTEMBER 22, 2003

P.S.C. KY. NO. 92 - 343Correcting SHEET NO. 13East Clark County Water DistrictCANCELLING P.S.C. KY NO. 9512 - 1Adjusting SHEET NO. 13

## CLASSIFICATION OF SERVICE

RATE  
PER UNITB. Meter Rates to Multi-Unit Premises

I

Water bills to all multi-unit premises, including duplexes, apartment buildings, trailer parks, mobile home parks, and premises containing both a permanent dwelling and a mobile home or trailer, having a single master meter, shall be computed by dividing the number of gallons of water registered by such master meter in each month by the number of units on such premises, and the bill for each unit shall be computed from the rate schedule. The amount of the unit bill so computed shall then be multiplied by the number of units on the premises on the day the meter is read, to establish the monthly bill for such premises. The minimum monthly bill to each multi-unit premises shall be \$19.80 multiplied by the number of units on the premises on the date the meter is read.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

JUN 29 1994

PURSUANT TO 807 KAR 5.011.  
SECTION 9(1)BY: [Signature]  
PUBLIC SERVICE COMMISSION MANAGERDATE OF ISSUE May 17, 1994  
MONTH DATE YEARDATE EFFECTIVE June 18, 1994  
MONTH DATE YEARISSUED BY [Signature]  
SIGNATURE OF OFFICERTITLE ChairmanIssued by authority of an Order of the Public Service Commission of Kentucky in C  
No. 92-343 dated April 5, 1993.

Form for filing Rate Schedules

FOR East Clark County Water District  
Community, Town or City

P.S.C. KY. NO. 98-071

Adjusting SHEET NO. 14

CANCELLING P.S.C. KY NO. 9512

SHEET NO. 14

East Clark County Water District

CLASSIFICATION OF SERVICE

RATE  
PER UNIT

C. Connection Charges

SIZE OF  
CONNECTION

CONNECTION  
CHARGE

5/8 Inch X 3/4 Inch Meter

\$550

All Other Size Meters

Actual Cost

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

MAR 06 1998

PURSUANT TO 807 KAR 5.011,  
SECTION 9(1)

BY: Stephan Bue  
SECRETARY OF THE COMMISSION

DATE OF ISSUE March 6, 1998  
MONTH DATE YEAR

DATE EFFECTIVE March 6, 1998  
MONTH DATE YEAR

ISSUED BY Harold R. Rye  
SIGNATURE OF OFFICER

TITLE Chairman

Issued by authority of an Order of the Public Service Commission of Kentucky in Ca  
No. \_\_\_\_\_ dated \_\_\_\_\_.



Form for filing Rate Schedules

FOR East Clark County Water District  
Community, Town or City

P.S.C. KY. NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

East Clark County Water District

CANCELLING P.S.C. KY NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

CLASSIFICATION OF SERVICE

RATE  
PER UNIT

Bulk Loading Station Water Rates

\$6.25 per 1,000 gallons

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

AUG 01 1995

PURSUANT TO 807 KAR 5011,  
SECTION 9(1)

BY: Jonathan T. Nash  
FOR THE PUBLIC SERVICE COMMISSION

DATE OF ISSUE June 15, 1995  
MONTH DATE YEAR

DATE EFFECTIVE August 1, 1995  
MONTH DATE YEAR

ISSUED BY Harold Rogers  
SIGNATURE OF OFFICER

TITLE Chairman

Issued by authority of an Order of the Public Service Commission of Kentucky in Case No. \_\_\_\_\_ dated \_\_\_\_\_.

Form for filing Rate Schedules

FOR East Clark County Water District

Community, Town or

P.S.C. NO.

Original SHEET NO. 15

CANCELLING P.S.C. NO.

SHEET NO.

East Clark County Water District

Name of Issuing Corporation

CLASSIFICATION OF SERVICE

Equal Deposits

All

(Insert above: Business/Commercial or residential or all) Customers will pay equal deposits in the amount of \$ 50.00. This amount does not exceed the average bill of residential customers served by the Company and is equal to 2/12 of the average annual bill. [3/12 where bills are rendered bimonthly or 4/12 where bills are rendered quarterly.]

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

JUN 29 1994

PURSUANT TO 807 KAR 5.011.  
SECTION 9(1)

BY: Shirley J. Allen  
PUBLIC SERVICE COMMISSION MANAGER

DATE OF ISSUE May 17, 1994

ISSUED BY Donald Logan  
Name of Officer

DATE EFFECTIVE June 18, 1994

TITLE Manager

## Form for filing Rate Schedules

FOR East Clark County Water District  
Community, Town or City  
 P.S.C. NO. \_\_\_\_\_  
 Original SHEET NO. 16  
 CANCELLING P.S.C. NO. \_\_\_\_\_  
SHEET NO. \_\_\_\_\_

East Clark County Water District  
Name of Issuing Corporation

## CLASSIFICATION OF SERVICE

RAT  
 PER U

DEPOSITS

The Company may require a minimum cash deposit or other guaranty to secure payment of bills except for customers qualifying for service reconnection pursuant to 807 KAR 5:006, Section 15, Winter Hardship Reconnection. Service may be refused or discontinued for failure to pay the requested deposit. Interest, as prescribed by KRS 74.050, will be paid annually either by refund or credit to the customer's bill, except that no refund or credit will be made if the customer's bill is delinquent on the anniversary date of the deposit.

The deposit may be waived upon a customer's showing of satisfactory credit or payment history, and required deposits will be returned after one (1) year if the customer has established a satisfactory payment record for that period. If a deposit has been waived or returned and the customer fails to maintain a satisfactory payment record, a deposit may then be required. The Company may require a deposit in addition to the initial deposit if the customer's classification of service changes or if there is a substantial change in usage. Upon termination of service, the deposit, any principal amounts, and any interest earned and owing will be credited to the final bill with any remainder refunded to the customer.

In determining whether a deposit will be required or waived, the following criteria will be considered:

1. Previous payment history with the Company. If the customer has no previous history with the Company, statements from other utilities, banks, etc. may be presented by the customer as evidence of good credit.
2. Whether the customer has an established income or line of credit.
3. Length of time the customer has resided or been located in the area.
4. Whether the customer owns property in the area.
5. Whether the customer has filed bankruptcy proceedings within the last seven years.
6. Whether another customer with a good payment history is willing to sign as a guarantor for an amount equal to the required deposit.

If a deposit is held longer than 18 months, the deposit will be recalculated at the customer's request based on the customer's actual usage. If the deposit on account differs from the recalculated amount by more than \$10.00 for a residential customer or PUBLIC SERVICE COMMISSION for a non-residential customer, the Company may collect any OVERPAYMENT and shall refund any overpayment by check or credit to the customer's bill. No refund will be made if the customer's bill is delinquent at the time of the recalculation.

JUN 29 1994

PURSUANT TO 807 KAR 5:011.

DATE OF ISSUE May 17, 1994DATE EFFECTIVE June 18, 1994ISSUED BY Harold Rogers  
Name of OfficerTITLE Chairman

PUBLIC SERVICE COMMISSION MANAGER

Issued by authority of an Order of the Public Service Commission of  
 Kentucky  
 in Case No. \_\_\_\_\_ dated 6

Form for filing Rate Schedules

FOR EAST CLARK COUNTY WATER DISTRICT  
Community, Town or City

P.S.C. KY. NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

EAST CLARK COUNTY WATER DISTRICT

CANCELLING P.S.C. KY NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

CLASSIFICATION OF SERVICE

RATE  
PER UNIT

NON-RECURRING CHARGES

METER TEST REQUEST

Upon receipt of a written request by a customer, the Utility shall perform a test on the customer's meter, provided that such request is not made more frequently than once in a twelve month period. The customer shall be given the opportunity to be present when the test is conducted. If the test shows that the customer's meter is not more than two percent (2%) fast, the Utility shall charge the customer forty dollars (\$40.00) for the test.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

MAR 22 1999

PURSUANT TO 807 KAR 5.011,  
SECTION 9(1)

BY: Stephen O. Bell  
SECRETARY OF THE COMMISSION

DATE OF ISSUE February 19, 1999  
MONTH DATE YEAR

DATE EFFECTIVE March 22, 1999  
MONTH DATE YEAR

ISSUED BY

David Logan  
SIGNATURE OF OFFICER

TITLE

Chairman

Issued by authority of an Order of the Public Service Commission of Kentucky in Ca  
No. \_\_\_\_\_ dated \_\_\_\_\_.

Form for filing Rate Schedules

FOR East Clark County Water District  
Community, Town or City

P.S.C. KY. NO. \_\_\_\_\_

Original SHEET NO. 17

East Clark County Water District

CANCELLING P.S.C. KY NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

CLASSIFICATION OF SERVICE

RATE  
PER UNIT

Actual Billing Form

East Clark County Water District P.O. Box 112 Winchester, KY 40392 SERVICE FOR: ANY SERVICE ADDRESS WINCHESTER, KY 40391							Presorted First Class Mail US Postage Paid Winchester, KY Permit No. 44	
Payment due on or before 03/15/94 05 % PENALTY added after above date. Service will be discontinued, if payment not received by 03/31/94							TO: Customer Name Any Billing Address Winchester KY 40391	
DATE FROM	DATE TO	PREVIOUS READING	PRESENT READING	GALLONS USED	CODE	AMOUNT		
01/15	02/15	00001	00020	19	W	19.80		
01/15	02/15	00000	00000		ST	.59		
1994	1994							
ACCOUNT NUMBER		METER SIZE		AMOUNT NOW DUE	20.39			
00100		3/4 Inch Meter		MUST PAY BY	05/15/94			
CODES: W - WATER GB - GARBAGE TX - STATE TAX ST - SCHOOL TAX PN - PENALTY S - SEWER E - ELECTRIC MS - MISC. CHARGES GS - GAS UB - UNPAID BALANCE								
Messages may be entered on these two lines.								
KEEP THIS PORTION FOR YOUR RECORDS								

DATE DUE	AMOUNT DUE
03/15/94	20.39
00100	B02/94

05% PENALTY WILL  
BE ADDED IF NOT  
PAID BY 03/15/94  
LATE AMT 21.41

RETURN THIS PORTION WITH PAYMENT

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

JUN 29 1994

DATE OF ISSUE May 17, 1994  
MONTH DATE YEAR

DATE EFFECTIVE June 18, 1994  
MONTH DATE YEAR

ISSUED BY David Logan  
SIGNATURE OF OFFICER

TITLE Chairman  
PUBLIC SERVICE COMMISSION MANAGER

Issued by authority of an Order of the Public Service Commission of Kentucky in C  
No. \_\_\_\_\_ dated \_\_\_\_\_.

LOCATION OF PROPERTY TO  
SERVED BY DISTRICT

BILLING ADDRESS

Name

Name

Road/Route

Road/Route

City/State/Zip

City/State/Zip

EAST CLARK COUNTY WATER DISTRICT

P.O. BOX 112

WINCHESTER, KY 40392-0112

CONTRACT FOR WATER SERVICES

THIS CONTRACT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, between \_\_\_\_\_ whose address is \_\_\_\_\_,  
hereinafter called the Customer,  
and EAST CLARK COUNTY WATER DISTRICT, CLARK COUNTY, KENTUCKY, hereinafter  
called the District.

The Customer hereby agrees to connect to the proposed Waterworks  
System of the District. The Customer agrees to use the water for at least  
one year from the time that the water becomes available. In the event that  
the Customer is not ready to hook-up when the water becomes available, the  
Customer agrees to pay a minimum bill for one year. The water connection  
fee is that fee approved by the Public Service Commission. The fee is  
currently \$400.00. The monthly water rates will be as approved by the  
Public Service Commission.

It is understood and agreed that the District reserves the right to  
determine the size of service connection to be used to supply water to the  
Customer. A 5/8" x 3/4" meter will be used unless the Customer contracts  
for a larger meter. A seperate meter must be installed for each residence,  
apartment, or other living unit. Special methods of billing are available  
for multiple unit premises.

The Customer agrees to permit the District to lay, maintain, repair,  
remove and disconnect a service line and meter, and read meters at a point  
on the Customer's property to be designated by the District for each signed  
connection with right of ingress and egress over the Customer's property,  
and to grar lines where required.

Depos \_\_\_\_\_ insure paym  
delinquent \_\_\_\_\_ counts \$  
The \_\_\_\_\_  
regulati

## WATER SHORTAGE RESPONSE PLAN

### EAST CLARK COUNTY WATER DISTRICT

Section 1. Purpose. The purpose of this Plan is to provide for the declaration of official phases of water supply shortages and the implementation of voluntary and mandatory water conservation measures throughout the East Clark County Water District in the event a shortage is declared.

Section 2. Definitions. These terms are applicable only for this Plan unless specifically noted.

- (a) "Customer" shall mean any person or entity using water for any purpose from the East Clark County Water District water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site of delivery.
- (b) "Raw Water Supplies" shall mean all water potentially available to persons in the East Clark County Water District
- (c) "Treated Water" shall mean water that has been introduced by the East Clark County Water District into its water distribution system, including water offered for sale. Uses of treated water are classified as follows:

#### Essential Water Uses (Class 1):

The following uses of water, listed by site or user type, are essential.

##### Domestic:

- water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

##### Health Care Facilities:

- patient care and rehabilitation, including related filling and operation of swimming pools.

##### Water Hauling:

- sales of domestic use where not ~~feasible~~ <sup>reasonably</sup> available elsewhere.

##### Public Use:

- firefighting,

PUBLIC SERVICE COMMISSION  
OF KENTUCKY

NOV 3 1993

PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)

BY: Glenn Deller  
PUBLIC SERVICE COMMISSION MANAGER

- health and public protection purposes, if specifically approved by health officials.

Socially or Economically Important Uses (Class 2):

The following uses of water, listed by site or user type, are socially or economically important.

Domestic:

- personal, in-house water use including kitchen, bathroom and laundry.

Water Hauling:

- non-domestic, when other sources are not reasonably available elsewhere.

Commercial and Civic Use:

- commercial car and truck washes,
- laundromats
- restaurants, clubs and eating places.
- schools, churches, motels/hotels and similar commercial establishments.

Outdoor Non-Commercial Watering:

- minimal watering of vegetable gardens,
- minimal watering of trees where necessary to preserve them.

Outdoor Commercial or Public Watering (using conservation methods and when other sources of water are not available or feasible to use):

- agricultural irrigation for the production of food and fiber or the maintenance of livestock,
- watering by arboretums and public gardens of national, state, regional or community significance where necessary to preserve specimens,
- watering by commercial nurseries at a minimum of KENTUCKY necessary to maintain stock, PUBLIC SERVICE COMMISSION EFFECTIVE
- watering at a minimum rate necessary to establish or maintain revegetation or landscape plantings required pursuant to law or regulation, NOV 3 1993 PURSUANT TO 807 KAR 5:011. SECTION 9 (1)



- watering of woody plants where necessary to preserve them,
- - minimal watering of golf course greens.

#### Recreational:

- operation of municipal swimming pools and residential pools that serve more than 25 dwelling units.

#### Air Conditioning:

- refilling for startup at the beginning of the cooling season,
- makeup of water during the cooling season,
- refilling specifically approved by health officials where the system has been drained for health protection or repair services.

#### Non-Essential Uses (Class 3):

Any waste of water, as defined herein, is non-essential. The following uses of water, listed by site or user type, are non-essential.

##### Public Use:

- use of fire hydrants (excluding Class 1 and Class 2 uses), including use of sprinkler caps, testing fire apparatus and fire department drills,
- flushing of sewers and hydrants except as needed to ensure public health and safety as approved by health officials.

##### Commercial and Civic Use:

- serving water in restaurants, clubs, or eating places, except by customer request,
- failure to repair a controllable leak,
- increasing water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife.

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##### Ornamental Purposes:

- fountains, reflecting pools and artificial waterfalls.

NOV 3 1993  
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SECTION 9 (1)

BY: *[Signature]*  
PUBLIC SERVICE COMMISSION ATTACHE

NOV 3 1993

Outdoor Non-Commercial Watering:

PURSUANT TO 807 KAR 5:011.

- - use of water for dirt control or compaction, SECTION 9 (1)
- watering of annual or non-woody plants, parks, golf course fairways, playing fields and other recreational areas, BY: Glenn Heller  
PUBLIC SERVICE COMMISSION MANAGER
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

Outdoor Commercial or Public Watering:

- expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process,
- use of water for dirt control or compaction,
- watering of lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

Recreational uses other than those specified in Class 2.

Non-commercial washing of motor and other vehicles.

Air Conditioning (see also Class 2 purposes):

- refilling cooling towers after draining.

- (d) "Base Entitlement" shall mean the monthly usage for a customer during the same month of the preceding calendar year or the average per customer usage for each class of service during the same month of the preceding year.
- (e) "Curtailed Entitlement" shall mean the monthly usage for a customer after any curtailment percentage has been applied.

NOV 3 1993

(f) "Curtailment" shall mean the reduction in entitlement by some percentage to meet anticipated water shortages.

(g) Water Shortage Response Phases:

"Advisory" shall mean that conditions exist which indicate the potential for serious raw or treated water supply shortages.

"Alert" shall mean the raw or treated water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.

"Emergency" shall mean that raw or treated water supplies are below the level necessary to meet normal needs and that serious shortages exist in the area.

(h) "Rationing" shall mean that procedures must be established to provide for the equitable distribution of critically-limited raw or treated water supplies, in order to balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety.

Section 3. Applicability. The provisions of this Plan shall apply to all retail and wholesale customers of the East Clark County Water District. When implemented, this Plan becomes East Clark County Water Dist. Water Shortage Response Regulation.

Section 4. Entitlements. Entitlements shall be established for each customer by adjusting the base entitlement to reflect any known change in usage pattern.

Section 5. Determination of Water Shortage. Water supply and usage shall be monitored on a continuous basis. Unrestricted demand shall be projected from past records and adjusted for changes such as new developments and weather conditions on a regular basis. (Note: A sample calculation page is attached as Appendix A to assist in determining overall water levels. It is important that accurate water measurements be used.) Water shortages generally occur for two reasons, a reduction in available supplies or a system failure. Each of these has a distinct influence on the nature and duration of the conservation program implemented. Official declaration of a water shortage stage and implementation of the measures necessary to curtail water use shall be approved by the East Clark County Water District Commissioners.

Section 6. Term of Water Shortage Declaration. Any water shortage declaration shall remain in effect until water supplies of service conditions have returned to normal. A final determination as to terminating a water shortage declaration shall be made by the Commissioners of E.C.C.W.D.

Section 7. Water Shortage Stage, Criteria, Conservation and Curtailment Measures.

A. Advisory Stage:

- (1) Criteria: A water advisory shall be declared when the amount of treated water or raw water available for treatment is projected to be up to 20% below demand, or there are periods of low water pressure in one or more areas of the distribution system due to system failure or inadequacies or the State Division of Water issues a Water Shortage Watch which includes the areas from which the East Clark County Water District draws water. (Note: Additional conditions may be added based on local conditions.)
- (2) Conservation and Curtailment Measures:
  - (a) Declare a Water Shortage Advisory.
  - (b) Provide proper notice to all customers and to all local news media.
  - (c) Eliminate all water leaks.
  - (d) Request voluntary conservation of all non-essential (Class 3) water use.
  - (e) Request wholesale customers also issue request for voluntary conservation by their customers of all non-essential (Class 3) water use.

B. Alert Stage:

- (1) Criteria: A water alert shall be declared when the amount of treated water available is projected to be up to 25% below demand, or raw water supplies are consistently below seasonal averages and if they continue to decline, may not be adequate to meet normal needs. (Note: Additional conditions may be added based on local conditions.)
- (2) Conservation and Curtailment Measures:
  - (a) Declare Water Shortage Alert.
  - (b) Provide proper notice to all customers and to all local news media.
  - (c) Eliminate all water leaks.
  - (d) Prohibit all non-essential (Class 3) water uses.

PUBLIC SERVICE COMMISSION  
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NOV 3 1993

PURSUANT TO 807 KAR 5.011,  
SECTION 9(1)

BY: Glenn Miller  
PUBLIC SERVICE COMMISSION

(e) Curtail entitlements to all customers by the same percentage as the projected shortage.

(f) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of 100 percent of the standard water rate.

C. Emergency Stage:

1. Criteria: A Water Emergency shall be declared when the amount of treated water available is projected to be up to 30% below demand, or there are periods of no water in one or more areas of the distribution system due to low water supply or raw water supplies below the level necessary to meet normal needs. (Note: Additional conditions may be added based on local conditions.)

2. Conservation and Curtailment Measures:

(a) Declare Water Shortage Emergency.

(b) Provide proper notice to all customers and to all local news media.

(c) Eliminate all water leaks.

(d) Prohibit all Class 3 uses of water.

(e) Prohibit all Class 2 uses of water except Domestic uses for kitchens, bathrooms and laundries.

(f) Curtail all commercial and industrial entitlements (except Health Care Facilities) by 100%.

(g) Curtail Residential entitlements by the same percentage as the projected shortage.

(h) Curtail entitlements to all wholesale customers by the same percentage as the projected shortage.

(i) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of 100 percent of the standard water rate.

D. Rationing Stage:

NOV 3 1993

1. Criteria: Treated water available is greater than 35% below demand or raw water supplies are 35% below demand.

the level necessary to meet essential needs, and in the opinion of East Clark County Water District mandatory rationing is required to insure adequate water is available to maintain public health and safety.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

2. Conservation and Curtailment Measures:

- (a) Declare Water Shortage Rationing. NOV 3 1993
- (b) Provide proper notice to all customers and to all local news media. PURSUANT TO 807 KAR 5.011, SECTION 9 (1)
- (c) Eliminate all water leaks. BY: Glenn Miller  
PUBLIC SERVICE COMMISSION MANAGER
- (d) Prohibit all Class 3 and Class 2 uses of water.
- (e) Curtail all commercial and industrial entitlement (except Health Care Facilities) by 100%.
- (f) Curtail all residential and wholesale entitlements by the same percentage as the projected shortage.
- (g) Implement service interruptions to portions of system in accordance with approved published schedule. The schedule shall be provided to all local media.
- (h) Begin billing customer water usage in excess of curtailment entitlement at the normal rate plus an excess usage charge of 250 percent of the standard water rate.

Section 8. Enforcement of Water Restriction. Any person who violates the provisions of this Plan, who fails to carry out the duties and responsibilities imposed by this Plan, or who impedes or interferes with any action undertaken or ordered pursuant to this Plan shall be subject to the following:

- (a) If the utility official charged with implementation and enforcement of this Plan learns of any violation of any water use restriction imposed, a written notice of the violation shall be affixed to the property where the violation occurred and mailed to the customer of record. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within 48 hours.
- (b) The notice will inform the customer of his or her right to appeal by requesting a hearing before the utility's designee. If a hearing is requested by the customer, he or she shall be given full opportunity to be heard

before termination. The governing body shall make findings of fact and decide whether service should continue or terminate.

- (c) Any customer whose water service is terminated for violating provisions of this water curtailment plan shall be subject to the approved reconnection fee prior to reconnection of service.
- (d) The excess usage charge billing provisions of this Plan shall not be put in effect if a county or city ordinance containing penalty provisions is in effect to assist enforcement of this Plan.

**Section 9. Request for Exception.**

- (a) Exception to water use restrictions: If compliance with any curtailment measure authorized herein would cause a customer to bear extraordinary hardship, that individual or entity may apply to the East Clark County Water District for an exception. For these purposes, "extraordinary hardship" shall be defined as a condition which may threaten health and safety, or cause property or economic losses, each of which must be shown to be substantially more severe than the sacrifices borne by other users. If extraordinary hardship is found to exist, then an exception shall be granted and a written waiver issued to the customer. If an appeal is made, water service shall be continued until a decision is announced. Any person aggrieved by the decision may file a complaint with the Public Service Commission.
- (b) Exception to curtailment surcharge: Exceptions to excess use charges shall not be considered or granted.

**Section 10. Severability.** If any provision of this Plan is declared invalid by the courts, the remainder of the Plan and its applicability to other persons and circumstances shall not be affected by that declaration.

**Section 11. Effective Date.** This Plan shall take effect immediately upon approval by the Public Service Commission.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

NOV 3 1993

PURSUANT TO 807 KAR 5.011,  
SECTION 9 (1)

BY: Charles D. Miller  
PUBLIC SERVICE COMMISSION MANAGER